

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

DAVID DRAPER,)
)
Plaintiff,)
)
v.)
)
PEDRO BACON, individually and as a)
member of the Chattanooga, Tennessee Police)
Department; and the)
CITY OF CHATTANOOGA, TENNESSEE,)
)
Defendants.)

No. 1:04-CV-167
Magistrate Judge Susan K. Lee

ORDER

In accordance with the accompanying Memorandum, the Court **GRANTS** Plaintiff David Draper's motion for reconsideration (Court File No. 19, part 1). Upon reconsideration, the Court **RELIEVES** Draper of the previous summary judgment as to his false arrest/false imprisonment and excessive force claims against Defendant Pedro Bacon in his individual capacity. These claims may proceed to trial, and the parties are **DIRECTED** to contact the Court's judicial assistant to schedule a pretrial scheduling conference. The Court **WILL MAINTAIN** the summary judgments issued in favor of the City and Bacon in his official capacity and the summary judgment issued to Bacon in his individual capacity as to Draper's § 1985 conspiracy claim.

SO ORDERED.

ENTER:

S/Susan K. Lee
SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE